

Title 16. California Board of Pharmacy

NOTICE IS HEREBY GIVEN that the California State Board of Pharmacy is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments only in writing relevant to the action proposed.

Written comments must be received by the Board of Pharmacy at its office not later than 5 p.m. on December 16, 2002. Comments may be submitted by facsimile at (916) 327-6308. Comments may be submitted by email to Debbie_Anderson@dca.ca.gov. Comments may be submitted by mail to:

Board of Pharmacy
Attention: Debbie Anderson
400 R Street, Suite 4070
Sacramento, CA 95814

The board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the board. The request must be received in the board office no later than 5 p.m. on December 2, 2002 (30 days after the publication of the notice).

The Board of Pharmacy, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify the proposal if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as the contact person. The notice also will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: The Board of Pharmacy is considering changes to Division 17 of Title 16 of the California Code of Regulations pursuant to the authority vested by section 4005 of the Business and Professions Code and to interpret or make specific Business and Professions Code sections 4232. These changes are discussed below.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend 16 CCR section 1732.2, Coursework From Non Recognized Providers

Business and Professions Code section 4005 generally authorizes the board to amend rules and regulations pertaining to the practice of pharmacy.

Existing regulation (16 CCR section 1732.2 (a).) allows non-recognized providers of continuing education to pursue a petition process for coursework that meets the standards as set forth in Section 1732.1(c). Section 1732.2 (b) allows coursework provided by approved providers of the Medical

Board of California, the California Board of Podiatric Medicine, the Board of Registered Nursing or the California State Board of Dental Examiners may be approved for continuing education credit for purposes of renewing a pharmacist license upon written request to the board provided the coursework meets the standards of relevance to pharmacy practice.

The proposed amendment to this section would allow the board to accept continuing education coursework approved by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California upon completion by the pharmacist. This amendment would eliminate the required written petition to the Board of Pharmacy for such coursework.

The proposed amendment provides for changes in names of the Board of Registered Nursing to the California Board of Registered Nursing as well as the California State Board of Dental Examiners to the Dental Board of California.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Significant Adverse Economic Impact on Business: The board has determined that the proposed regulatory action would have no significant statewide adverse impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: None

The Board of Pharmacy has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

The Board of Pharmacy has determined that this regulatory proposal should expand pharmacists' opportunities to comply with legal requirements for continuing education.

Cost Impact on Private Persons or Businesses Directly Affected: The Board of Pharmacy is aware that the fee for the evaluation of courses approved the Medical Board of California, the California Board of Podiatric Medicine, the Board of

Registered Nursing and the Dental Board of California will no longer be collected by the Board of Pharmacy from private persons or businesses previously requesting evaluation.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESSES

The Board of Pharmacy has determined that the proposed regulations would affect small businesses.

CONSIDERATION OF ALTERNATIVES

The Board of Pharmacy must determine that no alternative which it considered would either be more effective in carrying out purpose for which the action is proposed or would be as effective as and less burdensome on affected private persons than the proposal described in this Notice.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board of Pharmacy has prepared an initial statement of the reasons for the proposed actions and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation and of the statement of reasons and other information, if any, may be obtained upon request from the Board of Pharmacy at 400 R Street, Suite 4070, Sacramento, California 95814 and at the Board of Pharmacy's website <http://www.pharmacy.ca.gov>.

FINAL STATEMENT OF REASONS

The Board of Pharmacy will prepare a final statement of the reasons for the proposed action and a copy of this will be available upon request from the board or from the board's website at <http://www.pharmacy.ca.gov>.

AVAILABILITY AND LOCATION OF THE RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the board mentioned above.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be addressed to Debbie Anderson at the above address or at (916) 445-5014, extension 4007 <Debbie_Anderson@dca.ca.gov>. For substance inquiries contact Debbie Anderson. Inquiries regarding notices for this or other rulemaking proposals may be addressed to Candy Place at the above address or at (916) 445-5014, ext. 4006. Inquiries regarding this or other rulemaking proposals may be addressed to Debbie Anderson at the above address or at (916) 445-5014, ext. 4007. The back up contact is Paul Riches. He may be reached via email at <Paul_Riches@dca.ca.gov> or telephone at (916) 445-5014, ext. 4016.

WEBSITE ACCESS

Materials regarding this proposal can be found at <http://www.pharmacy.ca.gov>.